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7 Attorney for Luis Uriel Salmeron-Juarez

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11

12 Plaintiff,

13 v.

14 LUIS URIEL SALMERON-JUAREZ,  
15

16 Defendant.

Case No. 2:22-mj-00641-DJA

**ORDER TO CONTINUE**  
**PRELIMINARY HEARING**  
(First Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
18 United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for  
19 the United States of America, and Rene L. Valladares, Federal Public Defender, and Jacquelyn  
20 N. Witt, Assistant Federal Public Defender, counsel for Luis Uriel Salmeron-Juarez, that the  
21 Preliminary Hearing currently scheduled on November 14, 2022, be vacated and continued to  
22 a date and time convenient to the Court, but no sooner than seventy-five (75) days.

23 This Stipulation is entered into for the following reasons:

24 1. Under Federal Rule of Criminal Procedure 5.1(c), the Court “must hold the  
25 preliminary hearing within a reasonable time, but no later than 14 days after the initial  
26 appearance if the defendant is in custody . . . .”

1           2.       However, under Rule 5.1(d), “[w]ith the defendant’s consent and upon a  
2 showing of good cause—taking into account the public interest in the prompt disposition of  
3 criminal cases—a magistrate judge may extend the time limits in Rule 5.1(c) one or more times  
4 . . . .”

5           3.       Furthermore, under the Speedy Trial Act, 18 U.S.C. § 3161(b), “[a]ny  
6 information or indictment charging an individual with the commission of an offense shall be  
7 filed within thirty days from the date on which such individual was arrested or served with a  
8 summons in connection with such charges.”

9           4.       The parties anticipate that the preliminary hearing will ultimately be vacated.  
10 The matter has been negotiated and Mr. Salmeron has entered into a fast track plea agreement  
11 with the government. A change of plea and sentencing hearing has been scheduled for January  
12 19, 2023. The requested continuance will permit the district judge to conduct the change of plea  
13 and sentencing hearing.

14           5.       The defendant is in custody and agrees with the need for the continuance.

15           6.       The parties agree to the continuance.  
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1           7.       In addition, the parties stipulate and agree that the time between today and the  
2 scheduled preliminary hearing is excludable in computing the time within which the defendant  
3 must be indicted, and the trial herein must commence pursuant to the Speedy Trial Act, 18  
4 U.S.C. § 3161(b) and (h)(7)(A), considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and  
5 (iv).

6           This is the first request for a continuance of the preliminary hearing.

7           DATED this 8<sup>th</sup> day of November, 2022.

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9           RENE L. VALLADARES  
10          Federal Public Defender

            JASON M. FRIERSON  
            United States Attorney

11          By /s/ Jacquelyn N. Witt

            By /s/ Kimberly M. Frayn

12          JACQUELYN N. WITT  
13          Assistant Federal Public Defender

            KIMBERLY M. FRAYN  
            Assistant United States Attorney

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
LUIS URIEL SALMERON-JUAREZ,  
  
Defendant.

Case No. 2:22-mj-00641-DJA

**ORDER**

Based on the stipulation of counsel, good cause appearing, and the best interest of justice being served; the time requested by this stipulation being excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b) and (h)(7)(A), and Federal Rule of Criminal Procedure 5.1, considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv):

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for Monday, November 14, 2022 at 4:00 p.m., be vacated and continued to January 30, 2023, at 4:00 p.m., Courtroom 3A.

DATED this 9th day of November, 2022.



DANIEL J. ALBREGTS  
U.S. Magistrate Judge